

**REMARKS:**

This is a full and complete response to the Office Action dated November 18, 2008. Favorable reconsideration of the claims is respectfully requested.

**REGARDING THE CLAIMS:**

Claims 25, and 33-34 are pending in the application. Claims 1-24 and 26-32 have been canceled. Claims 33 and 34 have been added with support found in the application on page 6, lines 11-28 and page 9, lines 9-20. No new matter has been added.

**REGARDING THE ABSTRACT:**

The Examiner objected to the abstract arguing that the last four lines were superfluous. Applicants have amended the abstract to delete the last four lines as suggested by the Examiner. Favorable action is solicited.

**IN RESPONSE TO THE OFFICE ACTION:**

**REJECTION UNDER 35 U.S.C. § 102:**

Claim 25 stands rejected under 35 USC §103(a) as being obvious over Lechat et al., WO 02/00806 ("**Lechat**"), in further view of Delme et al., WO 02/00787 ("**Delme**"). Applicants respectfully traverse this rejection.

The Examiner argues that **Lechat** teaches adhesives with improved die-cutting performance which use a tetrablock copolymer in an SISI configuration. The Examiner further indicates that **Lechat** fails to teach that said SISI block copolymers are linear, however **Delme** discloses linear SISI tetra block copolymers. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to configure elastomeric copolymers as taught by **Lechat** in the linear configuration as taught by **Delme**.

Applicants respectfully submit that **Lechat** either alone or in view of **Delme** does not disclose or suggest the present claims. Accordingly no prima facie case of obviousness can be established.

Applicants note that instant claim 25 recites “wherein both predominantly poly(styrene) blocks have an apparent molecular weight of from 10,000 to 12,000, wherein the intermediate S--I diblock copolymer has an apparent molecular weight in the range of from 130,000 to 185,000.” Accordingly, it can be seen that while the S block is from 10,000 to 12,000, the interior block I has a much higher molecular weight which could be from about 118,000 to about 175,000 based on the above ranges. Accordingly, it can be seen that the interior block I is a much larger block than the S blocks.

Additionally, as the apparent molecular weight of the entire block copolymer S--I--S--I' is in the range of from 205,000 to 225,000 it can be seen that the exterior I' block is smaller than the interior block I.

This is made more apparent in the dependent claim 33, wherein it is recited : “wherein the middle block I has an apparent molecular weight from 125,000 to 172,000 and the terminal I' block has an apparent molecular weight of from 22,000 to 64,000.” Accordingly, it can be seen that the I' block is a small tail at the end of the SISI' block copolymer in comparison to the middle block I.

The **Lechat** reference does not disclose or suggest such a block copolymer as in the present claims. While **Lechat** does disclose a tetrablock and/or pentablock which may have a number average molecular weight of 45,000 to 250,000, or alternatively, 100,000 to 170,000, and further discloses that the butadiene and/or isoprene blocks have a molecular weight of at least 10,000 g/mole, and at most 200,000, **Lechat** discloses that the exterior diene block is larger than the interior diene block.

This can be seen with reference to page 8 of the **Lechat**, wherein it is stated:

“Polymers in which the internal block has a Mw less than the end block are particularly useful. Some invention copolymers have an **internal unsaturated block with a molecular weight in the range 20,000 to 70,000**, alternatively 25,000 to 50,000 and the **external block has a molecular weight above 40,000**, alternatively above 60,000, when it is a B block, and above 55,000, **alternatively above 75,000, which it is an I block**.

Therefore, as can be seen from the above portion of **Lechat**, the block copolymer is completely different than that claimed. The exterior diene block is larger than the interior diene block, especially when the diene is isoprene.

As **Lechat** discloses that the interior diene block is from 20,000 to 70,000 this falls outside of the claimed range for the interior I block. As noted above, in claim 25, the molecular weight in the range of from 130,000 to 185,000. Additionally, as recited in claim 33 the middle block I has an apparent molecular weight from 125,000 to 172,000. Accordingly, the block copolymer of **Lechat** is clearly far outside of the claimed ranges of the pending claims.

Additionally, as noted in **Lechat** the end diene block is above 75,000 when Isoprene. However, as noted above the range of the terminal I' block has an apparent molecular weight of from 22,000 to 64,000. As can be seen, the end block of **Lechat** is clearly outside of the range of claim 33.

Additionally, the examples provided in **Lechat** demonstrate a much smaller interior diene block than that of the present claims. Furthermore, these same examples of **Lechat** show a larger exterior diene block than the interior diene block. For instance, in Example 2 of **Lechat** an SISI tetrablock is disclosed having an interior I block of 60,000 and an exterior I block of 70,000. The molecular weight of the interior I block of 60,000 is outside of the present claims, and furthermore, the exterior I block molecular weight of 70,000 is clearly outside of the range of claim 33. Furthermore, it can be noted that the exterior I block is larger than the interior I block.

A more dramatic proportion is shown in Example 3 where the exterior I block is three times the size of the interior I block. In particular, the interior I block is 30,450 and the exterior I block is 91,400. Such interior I block is outside of the claimed range of the instant claims, and additionally the exterior I block is larger than that claimed in claim 33, namely a range of 22,000 to 64,000.

Therefore, in view of the above it can be seen that **Lechat** is directed to a very different copolymer than that claimed. The block copolymers of **Lechat** have a large exterior I block and a small interior I block which are outside of the range of the present

claims. Furthermore, even if **Delme** were to teach linear SISI tetrablock and applied to **Lechat**, **Lechat** still does not disclose or suggest the present claims.

Accordingly Applicants respectfully submit that no prima facie case of obviousness can be established, and furthermore request the above mentioned rejection be withdrawn.

In view of the comments above, it is respectfully requested that the rejections be withdrawn and a Notice of Allowance issue with respect to the currently pending claims.

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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 8132.210.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

Novak Druce + Quigg LLP  
1000 Louisiana, Fifty-Third Floor  
Houston, Texas 77002  
(713) 571-3400  
(713) 456-2836 (fax)  
[Tracy.Druce@novakdruce.com](mailto:Tracy.Druce@novakdruce.com)  
[Jason.Bryan@novakdruce.com](mailto:Jason.Bryan@novakdruce.com)

Respectfully submitted,

/Jason W. Bryan/

Jason W. Bryan  
Reg. No. 51,505

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